

SUBJECT: Repealing limitations on pedestrian traffic on highways without sidewalks

COMMITTEE: Transportation — favorable, without amendment

VOTE: 11 ayes — Canales, Raney, Ashby, Davis, Gámez, Caroline Harris, Landgraf, Lozano, Ordaz, Patterson, Perez

0 nays

2 absent — Lujan, Romero

WITNESSES: For — Rick Briscoe (*Registered, but did not testify*: Jay Crossley, Farm&City; Ruth York, Tea Party Patriots of Eastland County; Texas Family Defense Committee; Terri Hall, Texas TURF, Texans for Toll-free Highways; Scott White, Velo Paso Bicycle-Pedestrian Coalition; Tom Glass; Thomas Parkinson; Gregory Porter)

Against — (*Registered, but did not testify*: Anne O’Ryan, AAA Texas; James Parnell, Dallas Police Association; Jessica Anderson, Houston Police Department; Ray Hunt, Houston Police Officer's Union)

DIGEST: HB 1277 would repeal the requirement that a pedestrian walking along and on a highway without a sidewalk must, if possible, walk on the left side of the road or on the highway shoulder facing oncoming traffic.

The bill would take effect September 1, 2023, and would not apply to an offense committed before that date.

SUPPORTERS SAY: HB 1277 would prevent unnecessary arrests by abolishing overly prescriptive requirements for pedestrians walking on highways when no sidewalk is available. Current statute offers too much opportunity for law enforcement to make arrests without sufficient probable cause. The bill would allow pedestrians to use common sense to decide where to walk for their own safety. The bill would not repeal current law requiring pedestrians walking along highways to use available sidewalks.

CRITICS
SAY:

HB 1277 would allow pedestrians to walk anywhere on a highway that lacked a sidewalk, which could slow traffic and create safety hazards. Repealing the current law entirely rather than creating an exception for emergency conditions is too broad.